

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 98, "Wild Turkey Spring Hunting," Iowa Administrative Code.

These rules stipulate the regulations for hunting wild turkeys during the spring and include season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements.

The amendments lengthen the youth season from three to nine days and change the starting date for the regular turkey season from the Monday closest to April 13 to the Monday closest to April 15. This provides more time for youth hunters to hunt during the youth season and moves the regular turkey seasons back an average of three days. The amendments also provide that the cost of the preference point for a nonresident who was unsuccessful in the draw be refunded if the hunter buys a license that was left over after the drawing in a different zone or season.

Notice of Intended Action was published in the Iowa Administrative Bulletin on May 18, 2011, as **ARC 9507B**. A public hearing was held on June 7, 2011. Most comments received were in support of the change, although some expressed concern about shifting the regular seasons to a slightly later date. Research indicates that the slightly later date will not affect the productivity of wild turkeys or the hunting opportunity for Iowa's hunters. These amendments are identical to those published under Notice of Intended Action.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.1, 483A.7 and 483A.24.

These amendments shall become effective September 14, 2011.

The following amendments are adopted.

ITEM 1. Amend subrule 98.2(4) as follows:

98.2(4) Seasons. Seasons will be established in accordance with the type of license issued.

a. Combination shotgun-or-archery licenses. Consecutive seasons are 4, 5, 7, and 19 days, respectively, with the first season beginning on the Monday closest to April ~~13~~ 15. These seasons shall be designated as seasons 1, 2, 3 and 4, respectively.

b. Archery-only licenses. The season shall be 35 days beginning on the Monday closest to April ~~13~~ 15.

ITEM 2. Amend subrule 98.6(2) as follows:

98.6(2) Youth season dates. The youth turkey hunting license shall be valid during the ~~Friday, Saturday and Sunday~~ nine days immediately before the first turkey season.

ITEM 3. Amend rule **571—98.13(483A)**, first unnumbered paragraph, as follows:

Each individual applicant who is unsuccessful in the drawing will be assigned one preference point for each year in which the individual applies and is unsuccessful. If a person who was unsuccessful in the drawing purchases a leftover license within four weeks, the person will receive a refund for the cost of the preference point. Preference points will not accrue in a year in which an applicant fails to apply, but the applicant will retain any preference points previously earned. Once an applicant receives a license, all preference points will be erased. Preference points will apply to any zone or season for which a hunter applies. The first license drawing each year will be made from the pool of applicants with the most preference points. If licenses are still available after the first drawing, subsequent drawings will be made from pools of applicants with successively fewer preference points and continue until the license quota is reached or all applicants have received licenses. Applicants who apply as a group will be included in

a pool of applicants with the same number of preference points as that of the member of the group with the fewest preference points assigned.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 8/10/11.